

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: McCafferty *et al.*

Appln. No.: 09/417,478

Filed: October 13, 1999

For: Methods of Producing Members  
of Specific Binding Pairs

Group Art Unit: 1627

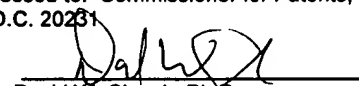
Examiner: P. Ponnaluri



CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231

7/15/02  
Date

  
David W. Clough, Ph.D.  
Registration No. 36,107  
Attorney for Applicant

**TRANSMITTAL OF SEQUENCE LISTING**  
**PURSUANT TO 37 C.F.R. § 1.821-1.825**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to the Examiner's Notice to Comply with the Requirements for Patent Applications Including Nucleotide Sequences and/or Amino Acid Sequence Disclosures, mailed July 30, 2001, and in view of the Communication from the Examiner denying our petition of October 2, 2001, Applicants submit herewith the following:

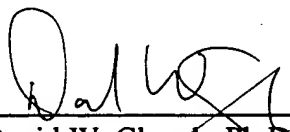
1. Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b);
2. Amendment and Response to Communications From Examiner Dated July 30, 2001 and December 6, 2001 Re: Submission of the Sequence Listing;
3. Terminal Disclaimer with fee of \$110;
4. A paper copy of the Sequence Listing in computer readable format;
5. Copy of Notice to Comply;
6. A diskette containing the Sequence Listing in ASCII format;

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JUL 29 2002  
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7. A Statement Verifying that the paper copy of the Sequence Listing and the computer readable copy are the same in accordance with 37 C.F.R. §§1.821-1.825.

Respectfully submitted,

By:

  
David W. Clough, Ph.D.  
Registration No. 36,107  
Attorney for Applicants

July 15, 2002

KATTEN MUCHIN ZAVIS ROSENMAN

525 West Monroe Street, Suite 1600

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# Confirmation Report-Memory Send

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**Katten Muchin Zavis**

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Fax 312 902 1001

Recipient	Company	Fax Number	Phone Number
Tina Suggs, Examiner	U.S. Patent & Trademark Office	703/746-4377	703/308-4217

Total number of pages including cover letter: 2.  
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From	David W. Clough, Ph.D.	Date/Time	March 20, 2002
Phone	312 902 5464	Fax Number	312 577 8736
Client/Matter Number	213839-00010	Attorney Number	3626
Client/Matter Name			

## Message

Re: Application No. 09/417,478

Attorney Docket No. 213839-00010 (Previously 32729B)

## For Messenger Department Use Only

Your fax has been sent. Attached is your original

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/417,478	10/13/99	MCCAFFERTY	J 28111/32729B
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CHICAGO IL 60606-6402

HM12/0730



EXAMINER

PONNALURI, P

ART UNIT

PAPER NUMBER

1627

DATE MAILED:

07/30/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

*Marb Ellis*  
*Reply due*  
*8/30/2001*

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AUG 3 2001

MARSHALL O'TOOLE

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JUL 29 2002

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UNITED STATES DEPARTMENT OF COMMERCE  
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/417,478	10/13/99		



EXAMINER	
P. Ponnaluri	
ART UNIT	PAPER NUMBER
1627	14
DATE MAILED:	

Please find below a communication from the EXAMINER in charge of this application

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

**APPLICANT IS GIVEN A ONE MONTH EXTENDABLE PERIOD WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 CFR 1.821 - 1.825.** Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication should be directed to P. Ponnaluri whose telephone number is (703) 305-3884. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jyothsna Venkat, can be reached at (703)308-2439. The fax number for this group is (703)305-3014.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703)308-0196.

P. Ponnaluri  
Patent Examiner  
Technology center 1600  
Art Unit 1627  
22 July 2001

  
PADMASHRI PONNALURI  
PRIMARY EXAMINER

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JUL 29 2002  
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**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☒ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: *This application is a continuation of application 08/484,893, and do not benefit the filing date of prior International application for Sequence compliance rules.*

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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Technical Assistance.....703-287-0200

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**PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE**

## **Attachment for PTO-948 (Rev. 03/01, or earlier)**

**6/18/01**

**The below text replaces the pre-printed text under the heading, "Information on How to Effect Drawing Changes," on the back of the PTO-948 (Rev. 03/01, or earlier) form.**

### **INFORMATION ON HOW TO EFFECT DRAWING CHANGES**

#### **1. Correction of Informalities -- 37 CFR 1.85**

New corrected drawings must be filed with the changes incorporated therein. Identifying indicia, if provided, should include the title of the invention, inventor's name, and application number, or docket number (if any) if an application number has not been assigned to the application. If this information is provided, it must be placed on the front of each sheet and centered within the top margin. If corrected drawings are required in a Notice of Allowability (PTOL-37), the new drawings **MUST** be filed within the **THREE MONTH** shortened statutory period set for reply in the Notice of Allowability. Extensions of time may **NOT** be obtained under the provisions of 37 CFR 1.136(a) or (b) for filing the corrected drawings after the mailing of a Notice of Allowability. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

#### **2. Corrections other than Informalities Noted by Draftsperson on form PTO-948.**

All changes to the drawings, other than informalities noted by the Draftsperson, **MUST** be made in the same manner as above except that, normally, a highlighted (preferably red ink) sketch of the changes to be incorporated into the new drawings **MUST** be approved by the examiner before the application will be allowed. No changes will be permitted to be made, other than correction of informalities, unless the examiner has approved the proposed changes.

#### **Timing of Corrections**

Applicant is required to submit the drawing corrections within the time period set in the attached Office communication. See 37 CFR 1.85(a).

Failure to take corrective action within the set period will result in **ABANDONMENT** of the application.